

SPEECH

OF

HON. STEPHEN A. DOUGLAS,

IN REPLY TO

MR. SEWARD AND MR. TRUMBULL.

DELIVERED IN THE SENATE OF THE UNITED STATES, FEBRUARY 29, 1860.

MR. PRESIDENT: I trust I shall be pardoned for a few remarks upon so much of the Senator's speech as consists in an assault on the Democratic party, and especially with regard to the Kansas-Nebraska bill, of which I was the responsible author. It has become fashionable now-a-days for each gentleman making a speech against the Democratic party to refer to the Kansas-Nebraska act as the cause of all the disturbances that have since ensued. They talk about the repeal of a sacred compact that had been undisturbed for more than a quarter of a century, as if those who complained of violated faith had been faithful to the provisions of the Missouri compromise. Sir, wherein consisted the necessity for the repeal or abrogation of that act, except it was that the majority in the northern States refused to carry out the Missouri compromise in good faith? I stood willing to extend it to the Pacific ocean, and abide by it forever, and the entire South, without one exception in this body, was willing thus to abide by it; but the free-soil element of the northern States was so strong as to defeat that measure, and thus open the slavery question anew. The men who now complain of the abrogation of that act were the very men who denounced it, and denounced all of us who were willing to abide by it so long as it stood upon the statute-book. Sir, it was the defeat in the House of Representatives of the enactment of the bill to extend the Missouri compromise to the Pacific ocean, after it had passed the Senate on my own motion, that opened the controversy of 1850, which was terminated by the adoption of the measures of that year.

We carried those compromise measures over the head of the Senator from New York and his present associates. We, in those measures, established a great principle, rebuking his doctrine of intervention by the Congress of the United States to prohibit slavery in the Territories. Both parties, in 1852, pledged themselves to abide by that principle, and thus stood pledged not to prohibit slavery in the Territories by act of Congress. The Whig party affirmed that pledge, and so did the Democracy. In 1854 we only carried out, in the Kansas-Nebraska act, the same principle that had been affirmed in the compromise measures of 1850. I repeat that their resistance to carrying out in good faith the settlement of 1820, their defeat of the bill for extending it to the Pacific ocean, was the sole cause of the agitation of 1850, and gave rise to the necessity of establishing the principle of non-intervention by Congress with slavery in the Territories.

Hence I am not willing to sit here and allow the Senator from New York, with all the weight of authority he has with the powerful party of which he is the head, to arraign me and the party to which I belong with the responsibility for that agitation which rests solely upon him and his associates. Sir, the Democratic party was willing to carry out the compromise in good faith. Having been defeated in that for the want of numbers, and having established the principle of non-intervention in the compromise measures of 1850, in lieu of it, the Democratic party from that day to this has been faithful to the new principle of adjustment. Whatever agitation has grown out of the question since, has been occasioned by the resistance of the party of which that Senator is the head, to this great principle which has been ratified by the American people at two presidential elections. If he was willing to acquiesce in the solemn and repeated judgment of that American people to which he appeals, there would be no agitation in this country now.

But, sir, the whole argument of that Senator goes far beyond the question of slavery, even in the Territories. His entire argument rests on the assumption that the negro and the white man were equal by Divine law, and hence that all laws and constitutions and governments in violation of the principle of negro equality are in violation of the law of God. That is the basis upon which his speech rests. He quotes the Declaration of Independence to show that the fathers of the Revolution understood that the negro was placed on an equality with the white man, by quoting the clause, "we hold these truths to be self-evident, that all men are created equal, and are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness." Sir, the doctrine of that Senator and of his party is—and I have had to meet it for eight years—that the Declaration of Independence intended to recognize the negro and the white man as equal under the Divine law, and hence that all the provisions of the Constitution of the United States which recognize slavery are in violation of the Divine law. In other words, it is an argument against the Constitution of the United States upon the ground

that it is contrary to the law of God. The Senator from New York has long held that doctrine. The Senator from New York has often proclaimed to the world, that the Constitution of the United States was in violation of the Divine law, and that Senator will not contradict the statement. I have an extract from one of his speeches now before me, in which that proposition is distinctly put forth. In a speech made in the State of Ohio, in 1848, he said:

"Slavery is the sin of not some of the States only, but of them all; of not one nationality, but of all nations. It perverted and corrupted the moral sense of mankind deeply and universally, and this perversion became a universal habit. Habits of thought become fixed principles. No American State has yet delivered itself entirely from these habits. We, in New York, are guilty of slavery still by withholding the right of suffrage from the race we have emancipated. You, in Ohio, are guilty in the same way by a system of black laws still more aristocratic and odious. It is written in the Constitution of the United States that five slaves shall count equal to three freemen as a basis of representation; and it is written, also, IN VIOLATION OF DIVINE LAW, that we shall surrender the fugitive slave who takes refuge at our fireside from his relentless pursuer."

There you find his doctrine clearly laid down, that the Constitution of the United States is "*in violation of the Divine law*," and therefore, is not to be obeyed. You are told that the clause relating to fugitive slaves, being in violation of the Divine law, is not binding on mankind. This has been the doctrine of the Senator from New York for years. I have not heard it in the Senate to-day for the first time. I have met in my own State, for the last ten years, this same doctrine, that the Declaration of Independence recognized the negro and the white man as equal; that the negro and white man are equals by Divine law, and that every provision of our Constitution and laws which establishes inequality between the negro and the white man, is void, because contrary to the law of God.

The Senator from New York says, in the very speech from which I have quoted, that New-York is yet a slave State. Why? Not that she has a slave within her limits, but because the constitution of New York does not allow a negro to vote on an equality with a white man. For that reason he says New York is still a slave State; for that reason every other State that discriminates between the negro and the white man is a slave State, leaving but a very few States in the Union that are free from his objection. Yet, notwithstanding the Senator is committed to these doctrines, notwithstanding the leading men of his party are committed to them, he argues that they have been accused of being in favor of negro equality, and says the tendency of their doctrine is the equality of the white man. He introduces the objection, and fails to answer it. He states the proposition and dodges it, to leave the inference that he does not indorse it. Sir, I desire to see these gentlemen carry out their principles to their logical conclusion. If they will persist in the declaration that the negro is made the equal of the white man, and that any inequality is in violation of the Divine law, then let them carry it out in their legislation by conferring on the negroes all the rights of citizenship the same as on white men. For one, I never held to any such doctrine. I hold that the Declaration of Independence was only referring to the white man—to the governing race of this country, who were in conflict with Great Britain, and had no reference to the negro race at all, when it declared that all men were created equal.

Sir, if the signers of that declaration had understood the instrument then as the Senator from New York now construes it, were they not bound on that day, at that very hour, to emancipate all their slaves? If Mr. Jefferson had meant that his negro slaves were created by the Almighty his equals, was he not bound to emancipate the slaves on the very day that he signed his name to the Declaration of Independence? Yet no one of the signers of that declaration emancipated his slaves. No one of the States on whose behalf the declaration was signed, emancipated its slaves until after the Revolution was over. Every one of the original colonies, every one of the thirteen original States, sanctioned and legalized slavery until after the Revolution was closed. These facts show conclusively that the Declaration of Independence was never intended to bear the construction placed upon it by the Senator from New York, and by that enormous tribe of lecturers that go through the country delivering lectures in country school-houses and basements of churches to Abolitionists, in order to teach the children that the Almighty had put his seal of condemnation upon any inequality between the white man and the negro.

Mr. President, I am free to say here—what I have said over and over again at home—that, in my opinion, this Government was made by white men for the benefit of white men and their posterity forever, and should be administered by white men, and by none other whatsoever.

Mr. DOOLITTLE. I will ask the honorable Senator, then, why not give the Territories to white men?

Mr. DOUGLAS. Mr. President, I am in favor of throwing the Territories open to all the white men, and all the negroes, too, that choose to go, and then allow the white men to govern the Territory. I would not let one of the negroes, free or slave, either vote or hold office anywhere, where I had the right, under the Constitution, to prevent it. I am in favor of each State and each Territory of this Union taking care of its own negroes, free or slave. If they want slavery, let them have it; if they desire to prohibit slavery, let them do it; it is their business, not mine. We in Illinois tried slavery while we were a Territory, and found it was not profitable; and hence we turned philanthropists and abolished it, just as our British friends across the ocean did. They established slavery

in all their colonies, and when they found they could not make any more money out of it, abolished it. I hold that the question of slavery is one of political economy, governed by the laws of climate, soil, productions, and self-interest, and not by mere statutory provision. I repudiate the doctrine, that because free institutions may be best in one climate, they are, necessarily, the best everywhere; or that because slavery may be indispensable in one locality, therefore it is desirable everywhere. I hold that a wise statesman will always adapt his legislation to the wants, interests, condition, and necessities of the people to be governed by it. One people will bear different institutions from another. One climate demands different institutions from another. I repeat, then, what I have often had occasion to say, that I do not think uniformity is either possible or desirable. I wish to see no two States precisely alike in their domestic institutions in this Union. Our systems rests on the supposition that each State has something in her condition or climate, or her circumstances, requiring laws and institutions different from every other State of the Union. Hence I answer the question of the Senator from Wisconsin, that I am willing that a Territory settled by white men shall have negroes, free or slave, just as the white men shall determine, but not as the negroes shall prescribe.

The Senator from New York has coined a new definition of the States of the Union—Dabor States and Capital States. The capital States, I believe, are the slaveholding States; the labor States are the non-slaveholding States. It has taken that Senator a good many years to coin that phrase and bring it into use. I have heard him discuss these favorite theories of his for the last ten years, I think, and I never heard of capital States and labor States before. It strikes me that something has recently occurred up in New England that makes it politic to get up a question between capital and labor, and take the side of the numbers against the few. We have seen some accounts in the newspapers of combinations and strikes among the journeymen shoemakers in the towns there—labor against capital. The Senator has a new word ready coined to suit their case, and make no laborers believe that he is on the side of the most numerous class of voters.

What produced that strike among the journeymen shoemakers? Why are the mechanics of New England, the laborers and employees, now reduced to the starvation point? Simply because, by your treason, by your sectional agitation, you have created a strife between the North and the South, have driven away your southern customers, and thus deprive the laborers of the means of support. This is the fruit of your Republican dogmas. It is another step, following John Brown, of the "irrepressible conflict." Therefore, we now get this new coinage of "labor States"—he is on the side of the shoemakers, (laughter,) and "capital States"—he is against those that furnish the hides. (Laughter.) I think those shoemakers will understand this business. They know why it is that they do not get so many orders as they did a few months ago. It is not confined to the shoemakers; it reaches every mechanic's shop and every factory. All the large laboring establishments of the North feel the pressure produced by the doctrine of the "irrepressible conflict." This new coinage of words will not save them from the just responsibility that follows the doctrines they have been inculcating. If they had abandoned the doctrine of the "irrepressible conflict," and proclaimed the true doctrine of the Constitution, that each State is entirely free to do just as it pleases, have slavery as long as it chooses, and abolish it when it wishes, there would be no conflict; the northern and southern States would be brethren; there would be fraternity between us, and your shoemakers would not strike for higher prices.

Mr. CLARK. Will the Senator pardon me for interrupting him a moment?

Mr. DOUGLAS. I will not give way for a speech; I will for a suggestion.

Mr. CLARK. I desire simply to make one single suggestion in regard to what the Senator from Illinois said in reference to the condition of the laboring classes in the factories. I come from a city where there are three thousand operatives, and there never was a time when they were more contented and better paid in the factories than now, and when their business was better than at this present time.

Mr. DOUGLAS. I was speaking of the scarcity of labor growing up in our northern manufacturing towns, as a legitimate and natural consequence of the diminution of the demand for the manufactured article; and then the question is, what cause has reduced this demand, except the "irrepressible conflict" that has turned the southern trade away from northern cities into southern towns and southern cities? Sir, the feeling among the masses of the South we find typified in the dress of the Senator from Virginia, (Mr. Mason;) they are determined to wear the homespun of their own productions rather than trade with the North. That is the feeling which has produced this state of distress in our manufacturing towns.

The Senator from New York has also referred to the recent action of the people of New Mexico, in establishing a code for the protection of property in slaves, and he congratulates the country upon the final success of the advocates of free institutions in Kansas. He could not fail, however, to say, in order to preserve what he thought was a striking antithesis, that popular sovereignty in Kansas meant State sovereignty in Missouri. No, sir; popular sovereignty in Kansas was stricken down by unholy combination in New England to ship men to Kansas—rowdies and vagabonds—with the Bible in one hand and Sharpe's rifle in the other, to shoot down the friends of self-government. Popular sovereignty in Kansas was stricken down by the combinations in the northern States to carry elections under pretence of emigrant aid societies. In retaliation, Mis-

souri formed aid societies too; and she, following your example, sent men into Kansas, and then occurred the conflict. Now, you throw the blame upon Missouri merely because she followed your example, and attempted to resist its consequences. I condemn both; but I condemn a thousand-fold more those that set the example and struck the first blow, than those who thought they would act upon the principle of fighting the devil with his own weapons, and resorted to the same means that you had employed.

But, sir, notwithstanding the efforts of emigrant aid societies, the people of Kansas have had their own way, and the people of New Mexico have had their own way. Kansas has adopted a free State; New Mexico has established a slave Territory. I am content with both. If the people of New Mexico want slavery, let them have it, and I never will vote to repeal their slave code. If Kansas does not want slavery, I will not help anybody to force it on her. Let each do as it pleases. When Kansas comes to the conclusion that slavery will suit her, and promote her interest better than the prohibition, let her pass her own slave code; I will not pass it for her. Whenever New Mexico gets tired of her code, she must repeal it for herself; I will not repeal it for her. Non intervention by Congress with slavery in the Territories is the platform on which I stand.

But I want to know why will not the Senator from New York carry out his principles to their logical conclusions? Why is there not a man in that whole party, in this body or the House of Representatives, bold enough to redeem the pledges which that party has made to the country? I believe you said, in your Philadelphia platform, that Congress had sovereign power over the Territories for their government, and that it was the duty of Congress to prohibit, in all the Territories, those twin relics of barbarism, slavery and polygamy. Why do you not carry out your pledges? Why do you not introduce your bill? The Senator from New York says they have no new measures to originate; no new movement to make; no new bill to bring forward. Then what confidence shall the American people repose in your faith and sincerity, when, having the power in one House, you do not bring forward a bill to carry out your principles? The fact is, these principles are avowed to get votes in the North, but not to be carried into effect by acts of Congress. You are afraid of hurting your party if you bring in your bill to repeal the slave code of New Mexico; afraid of driving off the conservative men; you think it is wise to wait until after the election. I should be glad to have confidence enough in the sincerity of the other side of the Chamber to suppose that they had sufficient courage to bring forward a law to carry out their principles to their logical conclusions. I find nothing of that. They wish to agitate, to excite the people of the North against the South to get votes for the Presidential election; but they shrink from carrying out their measures lest they might throw off some conservative voters who do not like the Democratic party.

But, sir, if the Senator from New York, in the event that he is made President, intends to carry out his principles to their logical conclusions, let us see where they will lead him. In the same speech that I read from a few minutes ago, I find the following. Addressing the people of Ohio, he said:

"You blush not at these things, because they have become as familiar as household words; and your pretended Free-Soil allies claim peculiar merit for maintaining these mis-called guarantees of slavery, which they find in the national compact. Does not all this prove that the Whig party have kept up with the spirit of the age; that it is as true and faithful to human freedom as the inert conscience of the American people will permit it to be? What then, you say, can nothing be done for freedom, because the public conscience remains inert? Yes, much can be done, everything can be done. *Slavery can be limited to its present bounds.*"

That is the first thing that can be done—slavery can be limited to its present bounds. What else?

"IT CAN BE AMELIORATED. IT CAN AND MUST BE ABOLISHED, AND YOU AND I CAN AND MUST DO IT."

There you find are two propositions; first, slavery was to be limited to the States in which it was then situated. It did not then exist in any Territory. Slavery was confined to the States. The first proposition was that slavery must be restricted and confined to those States. The second was that he, as a New Yorker, and they, the people of Ohio, must and would abolish it; that is to say abolish it in the States. They could abolish it no where else. Every appeal they make to northern prejudice and passion, is against the institution of slavery everywhere, and they would not be able to retain their abolition allies, the rank and file, unless they held out the hope that it was the mission of the Republican party, if successful, to abolish slavery in the States as well as in the Territories of the Union.

And again in the same speech, the Senator from New York advised the people to disregard constitutional obligations in these words:

"But we must begin deeper and lower than the composition and combination of factions or parties, wherein the strength and security of slavery lie. You answer that it lies in the Constitution of the United States and the constitutions and laws of slaveholding States. Not at all. It is in the erroneous sentiment of the American people. Constitutions and laws can no more rise above the virtue of the people than the limpid stream can climb above its native spring. Inculcate the love of freedom and the equal rights of man under the paternal roof; see to it that they are taught in the schools and in the churches; reform your own code; extend a cordial welcome to the fugitive who lays his weary limbs at your door, and defend him as you would your paternal gods; correct your own error, that slavery is a constitutional guarantee which may not be released, and ought not to be relinquished."

I know they tell us that all this is to be done according to the Constitution; they would not violate the Constitution except so far as the Constitution violates the law of

God—that is all—and they are to be the judges of how far the Constitution does violate the law of God. They say that every clause of the Constitution that recognizes property in slaves, is in violation of the Divine law, and hence should not be obeyed; and with that interpretation of the Constitution, they turn to the South and say, “We will give you all your rights under the Constitution as we explain it!”

Then the Senator devoted about a third of his speech to a very beautiful homily on the glories of our Union. All that he has said, all that any other man has ever said, all that the most eloquent tongue can ever utter, in behalf of the blessings and the advantages of this glorious Union, I fully indorse. But still, ‘sir, I am prepared to say, that the Union is glorious only when the Constitution is preserved inviolate. He eulogized the Union. I, too, am for the Union; I indorse the eulogies; but still, what is the Union worth, unless the Constitution is preserved and maintained inviolate in all its provisions?

Sir, I have no faith in the Union-loving sentiments of those who will not carry out the Constitution in good faith, as our fathers made it. Professions of fidelity to the Union will be taken for naught, unless they are accompanied by obedience to the Constitution upon which the Union rests. I have a right to insist that the Constitution shall be maintained inviolate in all its parts, not only that which suits the temper of the North, but every clause of that Constitution, whether you like it or dislike it. Your oath to support the Constitution binds you to every line, word, and syllable of the instrument. You have no right to say that any given clause is in violation of the Divine law, and that, therefore, you will not observe it. The man who disobeys any one clause, on the pretext that it violates the Divine law, or on any other pretext, violates his oath of office.

But, sir, what a commentary is this pretext that the Constitution is a violation of the Divine law, upon those revolutionary fathers whose eulogies we have heard here to-day. Did the framers of that instrument make a Constitution in violation of the law of God? If so, how do your consciences allow you to take the oath of office? If the Senator from New York still holds to his declaration that the clause in the Constitution relative to fugitive slaves is a violation of the Divine law, how dare he, as an honest man, take an oath to support the instrument? Did he understand that he was defying the authority of Heaven when he took the oath to support that instrument?

Thus, we see, the radical difference between the Republican party and the Democratic party, is this: we stand by the Constitution as our fathers made it, and by the decisions of the constituted authorities as they are pronounced in obedience to the Constitution. They repudiate the instrument, substitute their own will for that of the constituted authorities, annul such provisions as their fanaticism, or prejudice, or policy, may declare to be in violation of God’s law, and then say, “We will protect all your rights under the Constitution as expounded by ourselves; but not as expounded by the tribunal created for that purpose.”

Mr. President, I shall not occupy further time in the discussion of this question to-night. I did not intend to utter a word; and I should not have uttered a word upon the subject, if the Senator from New York had not made a broad arraignment of the Democratic party, and especially of that portion of the action of the party for which I was most immediately responsible. Everybody knows that I brought forward and helped to carry through the Kansas-Nebraska act, and that I was active in support of the compromise measures of 1850. I have heard bad faith attached to the Democratic party for that act too long to be willing to remain silent and seem to sanction it even by tacit acquiescence.

Mr. TRUMBULL having replied to Mr. DOUGLAS, he responded as follows:

I have but a few words to say, in reply to my colleague; and first on the question, whether Illinois was a slave Territory or not; and whether we ever had slavery in the State. I dislike technical denials, conveying an idea contrary to the fact. My colleague well knows, and so do I, that, practically, we had slaves there while a Territory, and after we became a State. I have seen him dance to the music of a negro slave in Illinois many a time, and I have danced to the same music myself. (Laughter.) We have both had the same negro servants to black our boots and wait upon us, and they were held as slaves. We know, therefore, that slavery did exist in the State in fact, and slavery did exist in the Territory in fact; and his denial relates exclusively to the question whether slavery was legal. Whether legal or not, it existed in fact. The master exercised his dominion over the slave, and those negroes were held as slaves until 1847, when we established the new constitution. There are gentlemen around me here, who know the fact—gentlemen who were nursed by slaves in Illinois. No man familiar with the history of Illinois will deny the fact. The quibble is, that the territorial laws authorizing the introduction of slaves were void because the ordinance of 1787 said slavery was prohibited.

Notwithstanding that ordinance, the old French inhabitants, who had slaves before the ordinance, paid no attention to it, and held slaves still. Slaves were held there all the time that Illinois was a Territory; and after it became a State they were held till they all died out, and their children became emancipated under the constitution. It is a fact; we all know it. That gentleman has seen many of those old French slaves, who were held in defiance of the ordinance. Whether they were lawfully held or not, the territorial authorities sustained the rights of the master. Not only were slaves held by the French before the ordinance, but the Territorial Legislature passed a law in substance to this effect: any citizen might go to Kentucky, or any other State or Territory, where

slaves were held, and bring slaves into the Territory of Illinois, take them to a county court, and in open court enter into an indenture by which the slave and his posterity were to serve him for ninety-nine years; and in the event that the slave refused to enter into the indenture, the master should have a certain time to take him out of the Territory and sell him. The Senator now says that law was not valid. Valid or not, it was executed; slaves were introduced, and they were held; they were used; they were worked; and they died slaves. That is the fact. I have had handed to me a book showing the number of slaves in Illinois at the taking of the various censuses, by which it appears that, when the census of 1810 was taken, there were in Illinois 168 slaves; in 1820, 917; in 1830, 747; and in 1840, 331. In 1850 there were none, for the reason that, in 1847, we adopted a new constitution that prohibited slavery entirely, and by that time they had nearly all died. The census shows that at one time there were as many as nine hundred slaves, and at all times the dominion of the master was maintained.

The fact is, that the people of the Territory of Illinois, when it was a Territory, were almost all from the southern States, particularly from Kentucky and Tennessee. The southern end of the State was the only part at first settled—that part called Egypt—because it is the land of letters and of plenty. Civilization and learning all originated in Egypt. The northern part of the State, where the political friends of my colleague now preponderate, was then in the possession of the Indians, and so were northern Indiana and northern Ohio; and a Yankee could not get to Illinois at all, unless he passed down through Virginia and over into Tennessee and through Kentucky. The consequence was, that ninety-nine out of a hundred of the settlers were from the slave States. They carried the old family servants with them, and kept them. They were told “Here is an ordinance of Congress passed against your holding them.” They said, “What has Congress to do with our domestic institutions; Congress had better mind its own business, and let us alone; we know what we want better than Congress;” and hence they passed this law to bring them in and make them indentured. Under that, they established slavery and held slaves as long as they wanted them. When they assembled to make the constitution of Illinois, in 1818, for admission into the Union, nearly every delegate to the convention brought his negro along with him to black his boots, play the fiddle, wait upon him, and take care of his room. They had a jolly time there; they were dancing people, frolicsome people, people who enjoyed life; they had the old French habits. Slaves were just as thick there as blackberries.

But they said “Experience proves that it is not going to be profitable in this climate.” There were no scruples about it. Every one of them was nursed by it. His mother and his father held slaves. They had no scruples about its being right, but they said, “We cannot make any money by it, and as our State runs way off north up to those eternal snows, perhaps we shall gain population faster if we stop slavery and invite in the northern population;” and, as a matter of political policy, State policy, they prohibited slavery themselves. How did they prohibit it? Not by emancipating, setting at liberty, the slaves then in the State, for I believe that has never been done by any legislative body in America, and I doubt whether any one will ever arrogate to itself the right to divest property already there; but they provided that all slaves then in the State should remain slaves for life; that all indentured persons should fulfill the terms of their indentures. Ninety-nine years was about long enough, I reckon, for grown persons at least.

All persons of slave parents, after a certain time, were to be free at a certain age, and all born after a certain other period, were to be free at their birth. It was a gradual system of emancipation. Hence, I now repeat, that so long as the ordinance of 1787, passed by Congress, said Illinois should not have slavery, she did have it; and the very first day that our people arrived at that condition that they could do as they pleased, to wit, when they became a State, they adopted a system of gradual emancipation; but still slavery continued in the State, as the census of 1820, the census of 1830, and the census of 1840, show, until the new constitution of 1847, when nearly all those old slaves had died out, and probably there were not a half dozen alive. That was the way slavery was introduced and expired in Illinois. Whatever quibbles there may be about legal construction, legal right, these are the facts.

Look into the territorial legislation, and you will find as rigorous a code for the protection of slave property as in any State; a code prescribing the control of the master, providing that if a negro slave should leave his master's farm without leave, or in the night time, he should be punished by so many stripes, and if he committed such an offence he should receive so many stripes, and so on; as rigorous a code as ever existed in any southern State of this Union. Not only that, but after the State came into the Union, the State of Illinois reenacted that code, and continued it up to the time that slavery died out under the operation of the State constitution.

I dislike, sir, to have a controversy with my colleague about historical facts. I suppose the Senate of the United States has no particular interest in the early history of Illinois, but it has become obligatory on me to vindicate my statement to that extent.

Now, sir, a word about the repeal of the Missouri Compromise. I have had occasion to refer to that before in the Senate, and I am sorry to have to refer to it again.

My colleague arraigns me as chairman of the Committee on Territories against myself as a colleague of the Senate in 1854, upon the Nebraska bill. He says that, as chairman of the committee, I reported that we did not see proper to depart from the example of

1850; that as the Mexican laws were not then repealed in terms, we did not propose in terms to repeal the Missouri restriction, but—there the Senator stops, and there the essence of the report begins—but, the report added, this committee proposes to carry out the principles embodied in the compromise measures of 1850 in precise language, and then we go on to state what those principles were; and one was, that the people of a Territory should settle the question of slavery for themselves, and we reported a bill giving them that power.

But inasmuch as the power to introduce slavery, notwithstanding the Mexican laws, was conferred on the Territorial Legislatures under the compromise measures of 1850, the right to introduce it into Kansas, notwithstanding the Missouri restriction, was also proposed to be conferred without expressly repealing the restriction. The legal effect was precisely the same. Afterwards some gentlemen said they would rather have the legal effect expressed in plain language.

I said, "if you want a repealing act, have it: it does not alter the legal effect." I said so at the time, as the debates show; and hence I put in the express provision that the Missouri act was thereby repealed. It did not change the legal effect of the bill; but that variation of language has been the staple of a great many stump speeches, a great many miserable quibbles of county court lawyers, a great many attempts to prove inconsistency by small politicians in the country. Be it so. The people understand that thing. The object I had in view was to allow the people to do as they pleased. The first bill accomplished that; the amendment accomplished it. Whether that was the object of others or not, is another question. That was my object. The two bills in my opinion had the same legal effect; but I said if any one doubts it, I will make it plain. Some said "we doubt whether that gives the right." Then I made it plain and brought it in in express terms, and he calls a change of language, without varying the legal effect, a change of policy. My colleague is welcome to make the most out of that. I have had that arraignment over and over again.

The Senator has some doubt as to whether I am in good standing in my own party; whether I am a good representative of northwestern Democracy. I have nothing to say about that. I will allow the people to speak in their conventions on that subject. Whether I represent the Democracy of Illinois or not, I shall not say. The people understand all that. I can only say that I have been in the Democratic party all my life, and I know what our Democrats mean. My colleague indorsed and approved the compromise measures of 1850. He was a Democrat a few years ago. Even in 1856, he declared, I believe, that he could not vote for me, if nominated, but he would vote for Mr. Buchanan; but, after the nomination, he did not like the platform, and he went over. I have no objection to that; it is all right enough. I never intended to taunt him with inconsistency; but I do not think he is as safe and as authoritative an expounder of the Republican party as the Senator from New York. The Senator from New York says that a State that does not allow a negro to vote on an equality with a white man is a slave State. I read his speech here to-day. I suppose the Senator from New York is a pretty good Republican. I thought he spoke with some authority for his party. I did not suppose those neophytes who had just come into the party were going to unsettle and unhorse the leader and embodiment of the party so quickly, and prescribe a platform that would rule out the Senator from New York. I must be permitted, therefore, to take the authority of the leaders of the party in preference to those who are kept in the rank and file until they have served an apprenticeship. (Laughter.)

The Senator from New York says it is slavery not to allow the negro to vote. Well, sir, I hold that that is political slavery. If you disfranchise a man, you make him a political slave. Deprive a white man of a voice in his government, and, politically, he is a slave. Hence the inequality you create is slavery to that extent. My colleague will not allow a negro to vote. He lives too far south in Illinois for that, decidedly. He has to expound the creed down in Egypt. They have other expositions up north. The creed is pretty black in the north end of the State; about the center it is a pretty good mulatto, and it is almost white when you get down into Egypt. It assumes paler shades as you go south. The Democrats of Illinois have one creed, and we can proclaim it everywhere alike.

The Senator, my colleague, complains that I represent his party to be in favor of negro equality. No such thing, says he; "I tell my colleague to his teeth it is not so." There is something very fearful in the manner in which he said it! Senators know that he is a dangerous man who says things to a man's teeth, and I shall be very cautious how I reply. But he says he does hold that by the law of God the negro and the white man are created equal; that is, he says, in a state of nature; and, therefore, he says he indorses that clause of the Declaration of Independence as including the negro as well as the white man. I do not think I misstate my colleague. He thinks that clause of the Declaration of Independence includes the negro as well as the white man. He declares, therefore, that the negro and the white man were created equal. What does that Declaration also say: "We hold these truths to be self-evident; that they are endowed by their Creator with certain *inalienable rights*, among which are life, liberty, and the pursuit of happiness." If the negro and the white man are *created equal*, and that equality is an *inalienable* right, by what authority is my colleague and his party going to deprive the negro of that inalienable right which he got directly from God? He says the Republican party is not in favor of according to the negro an inalienable right that he received directly from

his Maker. Oh, no; he tells me to my teeth that they are not in favor of that; they will not obey the laws of God at all. Their creed is to take away inalienable rights. Well, I have found that out before, and that is just the reason I complain of them, that they are for taking away inalienable rights.

If they will cling to the doctrine that the Declaration of Independence conferred certain inalienable rights, among which, we are told, is equality between the white man and the negro, they are bound to make the human laws they establish conform to those God-given rights which are inalienable. If they believe the first proposition, as honest men, they are bound to carry the principle to its logical conclusion, and give the negro his equality and voice in the Government; let him vote at elections, hold office, serve on juries, make him judge, Governor, ("Senator.") No, they cannot make him a Senator, because the Supreme Court has decided that he is not a citizen. The Dred Scott decision is in the way. Perhaps that is the reason of the objection to the Dred Scott decision, that a negro cannot be a Senator. I say, if you hold that the Almighty created the negro the equal of the white man, and that equality be an inalienable right, you are bound to confer the elective franchise and every other privilege of political equality on the negro. The Senator from New York stands up to it like a man. His logic drove him there, and he had the honesty to avow the consequence of his own doctrine. That is to say, he did it before the Harper's Ferry raid. He did not say it quite as plainly to-day; for I will do the Senator from New York the justice to say, that in his speech to-day, I think he made the most successful effort, considered as an attempt to conceal what he meant, (Laughter.) He dealt in vague generalities; he dealt in disclaimers and general denials; and he covered it all up with a verbiage that would allow anybody to infer just what he pleased, but not to commit the Senator to anything; and to let the country know that there was no danger from the success of the Republican party; that they did not mean any harm; that if men, believing in the truth of their doctrines, did go and commit invasions, murders, robberies, and treason, all they had to do was to disavow the men who were fools enough to believe them, and they are not responsible for the consequences of their own action!

Now, Mr. President, I wish my colleague were equally as frank as the Senator from New York. That Senator is in favor of the equality of the negro with the white man, or else he would not say that the Almighty guaranteed to them an inalienable right of equality. My colleague dare deny the inalienable rights of the negro, for if he did, the Abolitionists would quit him. He dare not avow it, lest the old-line Whigs should quit him; hence he is riding double on this question. I have no desire to conceal my opinions; and I repeat that I do not believe the negro race is any part of the governing element in this country, except as an element of representation in the manner expressly provided in the Constitution. This is a white man's Government, made by white men for the benefit of white men, to be administered by white men and nobody else; and I should regret the day that we ever allowed the negroes to have a hand in its administration. Not that the negro is not entitled to any privileges at all; on the contrary, I hold that humanity requires us to allow the unfortunate negro to enjoy all the rights and privileges that he may safely exercise consistent with the good of society. We may, with safety, give them some privileges in Illinois that would not be safe in Mississippi; because we have but few, while that State has many. We will take care of our negroes, if Mississippi will take care of hers. Each has a right to decide for itself what shall be the relation of the negro to the white man within its own limits, and no other State has a right to interfere with its determination.

On that principle there is no "irrepressible conflict;" there is no conflict at all. If we will just take care of our own negroes, and mind our own business, we shall get along very well; and we ask our southern friends to do the same, and they seem pretty well disposed to do it. Therefore, I am in favor of just firing a broadside into our Republican friends over there, who will keep interfering with other people's business. That is the complaint I have of them. They keep holding up the negro for us to worship, and when they get the power, they will not give him the rights they claim for him; they will not give him his inalienable rights. New York has not given the negro those inalienable rights of suffrage yet. The Senator from New York represents a slave State, according to his own speech; because New York does not allow the negro to vote on an equality with a white man. It is true, in New York, they do allow a negro to vote, if he owns \$250 worth of property, but not without. They suppose \$250 just compensates for the difference between a rich negro and a poor white man. (Laughter.) They allow the rich negro to vote, and do not allow the poor one; and the Senator from New York thinks that is a system of slavery. It may be; let New York decide that; it is her business. I do not want to interfere with it. Just let us alone. We do not want negro suffrage. We say "non-interference; hands off. If you like the association of the negroes at the polls, that is your business; if you want them to hold office, so that they do not come here, give offices to them, if you choose; if you want them for magistrates, that is your business; but you must not send them here; because we do not allow anybody but citizens to hold seats on this floor; and, thank God, the Dred Scott case has decided that a negro is not a citizen.

Now, Mr. President, I hope I shall not be compelled to engage further in the discussion, and I apologize for the fact that I have occupied so much time.